UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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FEDERAL DEFENDERS OF NEW YORK, INC.,
on behalf of itself and its clients detained at the
Metropolitan Detention Center – Brooklyn,

<div align="center"><i>Plaintiff</i>,</div>
<div align="center">v.</div>

FEDERAL BUREAU OF PRISONS and
WARDEN HERMAN QUAY, in his official
capacity,

<div align="center"><i>Defendants</i>.</div>

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No. 19-cv-660 (MKB)

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[PROPOSED] ORDER REGARDING THE APPOINTMENT
OF THE HONORABLE LORETTA LYNCH AS MEDIATOR

WHEREAS, on March 20, 2020, the Court of Appeals for the Second Circuit vacated the order of dismissal that had been entered in this action and issued its mandate;

WHEREAS, the Court of Appeals urged the Court to obtain the advice of the parties regarding a potential mediation of this matter;

WHEREAS, the Court solicited the parties' views regarding the proposed appointment of former Attorney General Loretta Lynch to serve as a mediator in this matter;

WHEREAS, at a telephone conference on March 23, 2020, the parties consented to mediation and had no objection to the appointment of the Honorable Loretta Lynch to serve as mediator;

WHEREAS, at the March 23 conference, the Court appointed the Honorable Loretta Lynch to serve as mediator to facilitate the expeditious adoption of procedures for dealing with legal visitation at MDC Brooklyn during ongoing and future emergencies;

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IT IS HEREBY ORDERED that, in order to fulfill the role as mediator in this matter, the

Honorable Loretta Lynch, directly or through any personal designee, may:

- Communicate with the parties on an *ex parte* basis;

- Communicate with members of the Judiciary and court staff without the involvement or presence of the parties;

- When on consent of the defendants, communicate with Bureau of Prisons officials, without the involvement or presence of counsel for the parties;

- Report to the Court as to the outcome of the mediation;

- Exercise any such additional powers as requested by the mediator and consented to by the parties to fulfil her role as mediator.

Dated: Brooklyn, New York
      March __, 2020

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MARGO K. BRODIE
United States District Judge